

1 RENE L. VALLADARES
Federal Public Defender
2 State Bar No. 11479
REBECCA LEVY
3 Assistant Federal Public Defender
411 E. Bonneville, Ste. 250
4 Las Vegas, Nevada 89101
(702) 388-6577/Phone
5 (702)388-6261/Fax
rebecca_levy@fd.org
6

7 Attorney for STANLEY JOE POLK, JR.

8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 STANLEY JOE POLK, JR.,

15 Defendant,
16

Case No. 2:14-cr-00121-GMN-VCF

**MOTION TO MODIFY CONDITIONS OF
SUPERVISED RELEASE**

17 The Defendant, Stanley Polk, through his attorney, Rene L. Valladares, Federal
18 Public Defender, and Rebecca Levy, Assistant Federal Public Defender, respectfully
19 moves this Honorable Court to modify conditions of Supervised Release. This request
20 is based upon the following points and authorities.

21 DATED this September 7, 2017

22
23 RENE L. VALLADARES
Federal Public Defender

24
25 By /s/ Rebecca Levy
REBECCA LEVY
26 Assistant Federal Public Defender
Attorney for Stanley Polk
27
28

1 **ARGUMENT**

2 On March 10, 2016, Mr. Polk was sentenced to 46 months in custody with 20 years of supervised
3 release for violation of 18 U.S.C. § 2421, Transportation of an individual for Purpose of Prostitution.
4 Docket #31. Condition #3 of supervised release prohibits Mr. Polk from associating with persons under
5 the age of eighteen, expect in the presence of a parent or legal guardian who is aware of the nature of
6 his background and who has been approved by the probation officer. *Id.*

7 Pursuant to 18 U.S.C § 3583(e)(2), the Court may modify the conditions of supervised release
8 at any time prior to the expiration or termination of the supervised release term. Mr. Polk respectfully
9 requests this Court modify the terms of his supervised release to allow him to have unsupervised contact
10 with his step-son, Julian Thelusma. Mr. Polk is engaged to Julian's mother, Sophia Rodriguez, who is
11 currently pregnant with his child. Mr. Polk would like to provide care to Julian while his mother is at
12 work, at doctor's appointments, and providing care to her soon-to-be born child. According to Ms.
13 Rodriguez, Mr. Polk has a loving and caring relationship with her son and has been a father figure. Ms.
14 Rodriguez wrote a letter in support of Mr. Polk's request for contact. *See* Exhibit A, letter from Sophia
15 Rodriguez. Mr. Polk has no prior allegations of hands on sexual or physical abuse of children. The
16 inability for Mr. Polk to have unsupervised contact with his step-son limits his continued familial
17 association and he requests this condition be modified.

18 **CONCLUSION**

19 Accordingly, we are respectfully requesting this modify the conditions of Mr. Polk's supervised
20 release to allow him to have unsupervised contact with Julian Thelusma.

21 Respectfully Submitted, this September 7, 2017

22 RENE L. VALLADARES
23 Federal Public Defender

24 **IT IS SO ORDERED.**

25 **DATED** this 19 day of September, 2017.

26 By /s/ Rebecca Levy
27 REBECCA LEVY
28 Assistant Federal Public Defender
Attorney for Stanley Polk


Gloria M. Navarro, Chief Judge
United States District Court

CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that she is an employee of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on, September 7, 2017, she served a copy of the above and foregoing **MOTION TO MODIFY CONDITIONS OF RELEASE** by ECF to all parties of record, including the person(s) named below:

STEVEN W. MYHRE
Acting United States Attorney
LISA CARTIES-GIROUX
Assistant United States Attorney

/s/ Nany Vasquez, Legal Assistant
Employee of the Federal Public Defender

EXHIBIT A

EXHIBIT A

August 27, 2017

To whom this may concern,

I Sophia Rodriguez am currently and have been in a relationship soon to be married to Stanley J Polk. I am very aware of Stanley's charges and understand the steps he has and currently is taking to move forward in life. I am writing to ask for Stanley to be able to be more independently involved with his family. As there are many reasons to why such as Stanley and I could work together as a team in providing care while the other parent is at work and as we are expecting another baby it would help with my son not feeling like he couldn't be around while I was at work or such but his sibling could. I have an eight year old son Julian Thelusma who knows Stanley as his dad and nothing less. My sons biological father is not in the picture. Many years ago Stanley had stepped up and took on the responsibility of being the male role model that every boy needs especially my son. My son Julian is having a hard time understanding why the man he calls dad can't take him to Boy Scouts, monster truck night or even ride along to the store. I've seen my son break down in tears because he couldn't just go fishing with his dad. Stanley holds no threat, harm or any negativity to my son Julian. I truly believe Julian is safe, loved and protected by Stanley and there is absolutely no putting Julian in harms way or danger if Julian is allowed to be in Stanley's care unsupervised. The relationship that Stanley and Julian share is a bond all mothers pray a father and son would have. & I only want to keep that bond strong.

Sincerely,

Sophia F. Rodriguez